

Receipt
PATENT *Itu!*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|------------------|--------------------------------------|-----------------|---------------|
| Applicants: | James A. Barry ✓ | Examiner: | Unassigned |
| Serial No.: | 10/520,223 ✓ | Group Art Unit: | 2837 |
| Confirmation No: | 2601 | Docket: | 392-50 PCT/US |
| Filed: | January 4, 2005 | Dated: | July 8, 2005 |
| For: | DIGITAL MUSICAL INSTRUMENT SYSTEM | | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

On July 8, 2005

Signature

Tricia Tucci
Tricia Tucci

REQUEST FOR CORRECTED FILING RECEIPT

Sir:

Applicant has received an official Filing Receipt in connection with the above-identified application. Applicant notes the following error contained in the Filing Receipt:

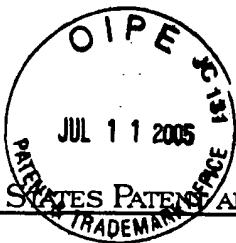
ERRONEOUS INFORMATION:

Power of Attorney:
Ronald Baron-29281

CORRECT INFORMATION:

Power of Attorney:
Customer No.: 23869

Submitted herewith is a copy of the official Filing Receipt received from the U.S. Patent and Trademark Office in connection with the above-identified application (with the error noted in red ink) for which issuance of a corrected Filing Receipt is respectfully requested.

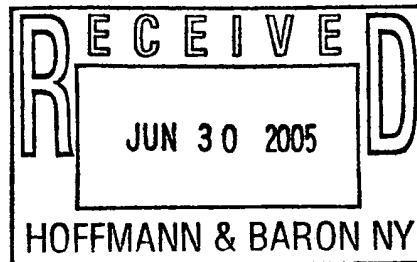


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| APPL NO. | FILING OR 371 (c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|-----------------|----------|----------|----------|
| 10/520,223 | 01/04/2005 | 2837 | 450 | 392-50 PCT/US | 18 | 20 | 2 |

Ronald J Baron
Hoffmann & Baron
6900 Jericho Turnpike
Syosset, NY 11791



CONFIRMATION NO. 2601
FILING RECEIPT



OC000000016260197

Date Mailed: 06/23/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

James Anthony Barry, Dublin, IRELAND;

Assignment For Published Patent Application

Thurdis Developments Limited

Power of Attorney:

Ronald Baron-29281

CUSTOMER NO. 23869

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/IE03/00102 07/14/2003

Foreign Applications

IRELAND S2002/0580 07/12/2002

Projected Publication Date: To Be Determined - pending completion of Security Review

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Digital musical instrument system

Preliminary Class

084

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations

especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

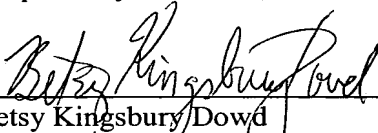
NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

The Customer No. 23869 was correctly indicated on the Combined Declaration and Power of Attorney, which was mailed to the U.S. Patent and Trademark Office on January 4, 2005. A copy is submitted herewith.

If the Examiner has any questions or comments relating to this Request, the Examiner is respectfully invited to contact Applicant's attorney at the telephone number provided below.

Respectfully submitted,


Betsy Kingsbury Dowd
Registration No. 52,830
Attorney for Applicant

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
(516) 822-3550

BKD:tt

206855_1



Attorney's Docket No. 392-50 PCT/US

PATENT

COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,
DIVISIONAL, CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type: *(check one)*

- | | |
|---------------------------------------|--|
| <input type="checkbox"/> Original | <input checked="" type="checkbox"/> National Stage PCT |
| <input type="checkbox"/> Supplemental | <input type="checkbox"/> Divisional |
| <input type="checkbox"/> Design | <input type="checkbox"/> Continuation |
| | <input type="checkbox"/> Continuation-in-Part (CIP) |

INVENTORSHIP IDENTIFICATION

NOTE: If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DIGITAL MUSICAL INSTRUMENT SYSTEM

the specification of which: *(complete (a), (b) or (c))*

- (a) ☐ is attached hereto.
- (b) ☐ was filed on _____ as
☐ Serial No. _____ or
☐ Express Mail No. _____, as Serial No. not yet known
and was amended on _____. *(if applicable)*
- (c) ☒ was described and claimed in PCT International Application No. PCT/IE2003/000102
filed on 14th July 2003 and as amended under PCT Article 19 on _____. *(if any)*

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above, and that the filing of said specification, if heretofore filed, was authorized by me.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

CLAIM OF PRIORITY OF EARLIER FOREIGN APPLICATION(S) UNDER 35 U.S.C. §119(a)-(d)

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

(List prior foreign/PCT application(s) filed within 12 months (6 months for design) prior to this U.S. application.)

NOTE: Where item (c) is entered above and the International Application which designated the U.S. claimed priority check item (e), enter the details below and make the priority claim.

| COUNTRY (orPCT) | APPLICATION NO. | DATE OF FILING (Day/Month/Year) | PRIORITY CLAIMED UNDER 35 USC §119 | |
|--------------------|-----------------|------------------------------------|---|-----------------------------|
| Ireland | S2002/0580 | 12 th July 2002 | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES | <input type="checkbox"/> NO |

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) UNDER 35 U.S.C. §119(e)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

(List prior U.S. provisional applications.)

| PROVISIONAL APPLICATION NO. | FILING DATE (Day/Month/Year) |
|-----------------------------|---------------------------------|
| | |
| | |
| | |

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. 120

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

(List prior U.S. applications or PCT International applications designating the U.S. for benefit under 35 U.S.C. §120.)

| U.S. APPLICATIONS | | STATUS (Check One) | | |
|-------------------|--------------------------------------|--------------------------|--------------------------|--------------------------|
| U.S. SERIAL NO. | U.S. FILING DATE (Day/Month/Year) | Patented | Pending | Abandoned |
| 0 / | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 0 / | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| PCT APPLICATIONS DESIGNATING THE U.S. | | | STATUS (Check One) | | |
|---------------------------------------|-------------------------------------|--------------------------------------|--------------------------|--------------------------|--------------------------|
| PCT APPLN. NO. | PCT FILING DATE (Day/Month/Year) | U.S. SERIAL NOS ASSIGNED (if any) | Patented | Pending | Abandoned |
| PCT/ IE03/00102 | 14 th July 2002 | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| PCT/ | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

35 USC 119 PRIORITY CLAIM, IF ANY, FOR ABOVE LISTED U.S./PCT APPLICATIONS

| PRIORITY APPLICATION NO. | PRIORITY COUNTRY | FILING DATE (Day/Month/Year) | ISSUE DATE (Day/Month/Year) |
|-----------------------------|---------------------|---------------------------------|--------------------------------|
| S2002/0580 | Ireland | 12 th July 2002 | |

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) at Customer Number 23869 to prosecute this application and transact all business in the Patent and Trademark Office in connection therewith.

PLEASE SEND CORRESPONDENCE TO:

Ronald J. Baron, Esq.
HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, NY 11791

PLEASE DIRECT TELEPHONE CALLS TO:

(516) 822-3550

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Full Name of Sole or First Inventor: James Anthony DARRY

Country of Citizenship: Ireland

Residence Address: 3 Palmerston Park, Rathmines, Dublin 6, Ireland

Post Office Address: Same as above

Date: 30th Dec 2004 Inventor's signature

James A. Darry

Full Name of Second Joint Inventor:

Country of Citizenship:

Residence Address:

Post Office Address:

Date: _____ Inventor's signature _____

NOTE: All above spaces identifying inventors must be completed or deleted before any inventor executes this application